

## **REMARKS**

In the Office Action mailed June 22, 2004, the examiner rejected applicant's claims 24-25, 35, 37 and 40 for alleged anticipation or obviousness in view of the cited Granek reference, U.S. Patent 2,823,425. The remaining claims 1-23, 26-34, 36 and 38-39 were either allowed, or indicated to recite allowable subject matter. Claims 5, 29 and 31 were rejected for alleged indefiniteness under 35 USC 112.

In response, independent claim 1 is resubmitted without change. In this regard, although the examiner indicates (at page 6) that claim 1 would be allowed if amended to overcome the Section 112 rejection, applicant respectfully notes that the Office Action does not set forth any Section 112 rejection directed to claim 1. Applicant notes further that claim 1 conforms with a combination of claims 1 + 4 from parent Serial No. 10/062,617 which the examiner indicated previously to recite allowable subject matter. Applicant therefore submits that claim 1 as now presented is in proper condition for allowance, consistent with the examiner's previous indication of allowable subject matter.

Dependent claims 2-4 and 6 remain in this application. These claims depend from parent independent claim 1 and thus are submitted for allowance therewith. Original dependent claim 5, which the examiner rejected under Section 112, has been canceled.

Independent claim 7 of this application is also resubmitted without change. In the Office Action, the examiner appears to have overlooked the fact that claim 7 is an independent claim, and that claims 8-23 depend therefrom. Applicant notes that claim 7 was previously allowed in the parent application, and applicant respectfully submits that claim 7 and its associated dependent claims 8-23 should have been identified in the current Office Action as "allowed". That is, at page 6 of the Office Action, the examiner indicates that these claims would be allowed upon resolution of Section 112 issues, but no Section 112 issues have been raised with respect to claims 7-23.

Claims 24-25 have been rejected for alleged obviousness in view of the cited Granek reference. In response, independent claim 24 has been amended to recite applicant's movable wall module invention in more detail, and in a

manner respectfully submitted to distinguish more clearly and patentably from Granek. Specifically, claim 24 now recites the wall module in more detail in relation to the adjoining rooms or the like, *i.e.*, "first and second spaces each including a stationary floor disposed respectively at opposite sides of the building wall." Claim 24 is further revised to require the "second component means" on one side of a movable module frame to comprise a "work surface unit" that additionally incorporates "castor means" for rolling support of said work surface unit **"directly on the stationary floor"** of the first and second spaces as the module frame is displaced for reversibly presenting the component means on opposite sides thereof to the first and second spaces.

The Granek reference does not disclose or suggest this concept, namely, rolling support of a module-mounted component "directly on the stationary floor" of the adjoining rooms or spaces. Quite the contrary, and as recognized by the examiner in preparation of the marked copy of Granek's FIG. 3 attached to the Office Action, Granek's rotatable structure incorporates a rotatable floor segment 22. Any and all "component means" in Granek carried by the rotatable structure for movement from one adjoining space to another are clearly and indisputably mounted on and supported by the associated rotatable floor segment. In direct contrast with applicant's claim 24 as now presented, Granek does not disclose and does not suggest rolling support of any "component means" by rolling contact "directly on the stationary floor" for smooth rolling movement from one adjoining space to another.

Applicant notes the examiner's characterization of Granek's bearing balls 32 and 38 as "castor means" for purposes of justifying the rejection. However, these bearing balls 32, 38 and clearly part of the support structure for Granek's turntable floor segments that are not present in applicant's invention as claimed. Indeed, in Granek, the turntable floor segments require a shallow recess 26 to be formed in a concrete floor for the building in order to achieve proper alignment between the turntable floor segments 22 and the stationary portion of the floor in the adjoining rooms or spaces. By omitting the turntable floor segments in their entirety, no such "shallow recess 26" is required for implementation of applicant's invention.

Thus, applicant respectfully submits that claim 24 as now written clearly overcomes the rejection in view of Granek. Claim 24 as now presented and its related dependent claim 25 are thus submitted for reconsideration and allowance.

Claims 26-28 stand allowed.

Claim 29 has been indicated to recite allowable subject matter, but has been rejected under Section 112. In response, applicant submits herewith a revised claim 29 which is respectfully believed to address and overcome the Section 112 rejection. With this revision, applicant respectfully submits that claim 29 and its related group of dependent claims 30 and 32 are now in proper form for allowance.

Prior dependent claim 31 has by this Response been re-written in independent form to incorporate the limitations from original independent claim 29, and further to define the phrase "overall fore-aft depth" as used in claim 31 for purposes of addressing and overcoming the Section 112 rejection. As now presented, claim 31 is also believed to be in proper condition for allowance.

Claims 33-34 stand allowed.

Independent claim 35 was rejected for alleged anticipation in view of the cited Granek reference, with particular reference to the examiner's marked FIG. 3 of Granek to provide explanation for the basis of the rejection. In response, applicant has amended claim 35 to differentiate clearly and patentably from Granek. Specifically, claim 35 now recites the construction of the module frame for purposes of expressly precluding any turntable floor segment as part of the movable wall module or module frame. That is, as now presented, claim 35 requires the "first and second sides" of the module frame to extend vertically upwardly from lower ends or margins "disposed directly adjacent the stationary floor ... in the absence of an intervening turntable floor segment ... whereby said first and second component means ... are disposed in direct overlying relation to the stationary floor.

This concept, *i.e.*, the absence of any intervening turntable floor segment, is clearly not shown or described or contemplated in any way by the Granek reference. Rather, as highlighted by the examiner's marked copy of Granek's FIG. 3, Granek uses turntable floor segments 22 for movably supporting furniture

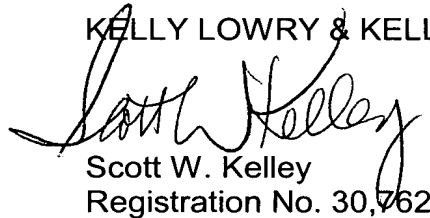
items as they are displaced upon turntable rotation from one adjoining room or space to another. By precluding any turntable floor segment in claim 35, the rejection for anticipation in view of Granek is clearly overcome. Accordingly, applicant respectfully submits revised claim 35 and its associated group of dependent claims 36-40 for reconsideration and allowance.

### **Conclusion**

In conclusion, in view of the foregoing claim revisions and accompanying discussion, applicant respectfully resubmits claims 1-4 and 6-40 for reconsideration and allowance. A formal Notice of Allowance is believed to be in order, and is therefore respectfully requested.

Respectfully submitted,

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